

**Application No.: 10/802,129**  
**Filing Date: March 16, 2004**

### **AMENDMENTS TO THE CLAIMS**

The claims as listed below will replace all prior listings and presentations of claims in the above-identified application.

1. **(Currently Amended)** A computer-implemented method for generating a risk assessment of a builder, the method comprising:

providing a database that comprises a master set of questions and inspection checkpoints for use in assessing builder risk, wherein at least some of the inspection checkpoints include information reflective of particular types of construction defects, the database further comprising stored data reflective of estimated monetary costs of repair associated with particular inspection checkpoints;

obtaining input about a builder and about projects associated with the builder; using the input about the builder and the projects to select from the database a subset of questions to present to the builder;

accessing stored data about past construction defect claims that includes at least one of: information reflective of a frequency of past construction defect claims and information reflective of costs associated with past construction defect claims;

using at least the data about past construction defect claims to rank at least a portion of the inspection checkpoints;

and selecting a subset of the inspection checkpoints to use to inspect one or more construction projects of the builder, wherein the subset of inspection checkpoints is selected by a computer system based at least in part on the ranking, such that the selected subset is collectively reflective of a pre-specified potential monetary cost to repair;

receiving responses to the subsets of questions from the builder, and storing said responses within computer storage;

recording within computer storage results of the inspection based on the subset of inspection checkpoints as applied to one or more construction projects of the builder; and

using at least the responses to the subsets of questions and the results of the subset of inspection checkpoints to programmatically generate a risk assessment score of the builder.

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2. **(Original)** The computer-implemented method of Claim 1, wherein the input about the projects comprises information about a geographical location of the projects.

3. **(Original)** The computer-implemented method of Claim 1, wherein the input about the projects comprises information about construction methods and materials planned for the projects.

4. **(Original)** The computer-implemented method of Claim 1, wherein the input about the projects comprises information regarding at least one of the set consisting of: types of the projects, sizes of the projects, geographical location of the projects, construction methods and materials planned for the projects, and special features of the projects.

5. **(Currently Amended)** The computer-implemented method of Claim 1, further comprising reporting the builder's risk assessment as a risk assessment score.

6. **(Currently Amended)** The computer-implemented method of Claim 523, wherein using the input to select a subset of questions and inspection checkpoints comprises selecting questions and inspection checkpoints for assessing ~~component factors~~, ~~the component factors comprising at least one component factor from~~ ~~of~~ the set consisting of: design issues, communications systems, builder knowledge, construction practices, customer service, data tracking, prior and active claims, legal contracts and insurance, and safety programs.

7. **(Currently Amended)** The computer-implemented method of Claim 6, wherein reporting the builder's risk assessment score further comprises reporting scores for the component factors that influence the builder risk assessment.

8. **(Currently Amended)** The computer-implemented method of Claim 6, further comprising calculating ~~the~~a risk assessment score as a weighted combination of the scores for the component factors.

9. **(Currently Amended)** A system for determining a builder risk assessment score, comprising:

a user interface for user entry of data regarding a builder and building projects associated with the builder;

a database comprising ~~a master set of questions and~~ information reflective of inspection checkpoints for conducting builder risk assessments, wherein the information reflective of the inspection checkpoints comprises statistical information reflective of a

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frequency and costliness of building construction problems associated with the inspection checkpoints;

a first component configured to receive from the user interface the data regarding the builder and the builder's projects and to select from the database ~~a subset of questions to present to the builder, and~~ a subset of inspection checkpoints to use to inspect construction by the builder, wherein the subset of inspection checkpoints is selected, at least in part, based on the statistical information about the frequency and costliness of building construction problems associated with the inspection checkpoints; and

a second component that calculates a risk assessment score for the builder based at least in part on ~~builder responses to the subset of questions and results of the subset of inspection checkpoints.~~

10. **(Currently Amended)** The system of Claim 9, wherein the database further comprises at least one of the set consisting of: information about proper construction practices associated with the checkpoints, historical information about costs associated with repairing construction faults associated with the checkpoints, information about a statistical frequency of liability claims regarding the checkpoints~~[;]~~, and a measure of relevance of proper construction technique for the checkpoints to a risk assessment for projects of various types and various geographical locations.

11. **(Original)** The system of Claim 9, wherein the database further comprises questions for assessing the builder regarding at least one of the set consisting of: design issues, communications systems, builder knowledge, customer service, data tracking practices, prior and active claims history, insurance and other legal documents, and safety programs implemented.

12. **(Currently Amended)** The system of Claim 9~~11~~, wherein the first component is further configured to select the subset of ~~questions and inspection checkpoints and a subset of the questions~~ based at least in part on the input data; and

wherein the second component is configured to calculate the risk assessment score for the builder based at least in part on builder responses to the subset of questions.

13. **(Original)** The system of Claim 12, wherein the first component is further configured to select the subset of questions and inspection checkpoints based at least in part on a set of customization rules.

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14. **(Currently Amended)** A method for performing a builder assessment, comprising:

receiving information about a builder and about at least one project projects associated with the builder;

accessing a database with historical information reflective of construction defect-related claims;

obtaining additional information about the builder and about at least one of the builder's projects, wherein the additional information comprises results from a physical inspection of the builder's project and ~~information about design aspects of the project and the builder's communications and customer service systems, that includes inspection of construction items associated with one or more checkpoints, and wherein the checkpoints are programmatically selected based, at least in part, on the historical information about construction defect-related claims;~~ and

determining, via execution of program code by a computer system a builder assessment score, based at least in part on the obtained additional information.

15. **(Currently amended)** The method of Claim 14, wherein determining the builder assessment score further comprising comprises determining for the builder at least one of the set consisting of: a risk assessment grade, a risk assessment category, and a risk assessment tier-level.

16. **(Original)** The method of Claim 14, wherein determining a builder assessment score comprises assigning a numeric score to a plurality of factors associated with builder quality.

17. **(Original)** The method of Claim 14, further comprising obtaining information from more than one project of the builder to determine a sample of the builder's operations.

18. **(New)** The method of Claim 14, wherein obtaining additional information about the builder and about at least one of the builder's projects further comprises selecting the one or more checkpoints based, at least in part, on data reflective of estimated monetary amounts for potential repairs associated with the one or more checkpoints, such that the estimated monetary amounts for potential repairs associated with the selected one or more checkpoints are collectively substantially equal to a pre-specified amount.

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19. (New) The computer-implemented method of Claim 1, wherein the stored data about past construction defect claims further comprises information about the builder's past history of construction defect claims.

20. (New) The computer-implemented method of Claim 1, further comprising using the stored data about past construction defect claims to rank more highly inspection checkpoints that are more commonly associated with construction defect claims and to rank less highly inspection checkpoints that are less commonly associated with construction defect claims.

21. (New) The computer-implemented method of Claim 1, further comprising using the stored data about past construction defect claims to rank inspection checkpoints that are historically associated with construction defect claims involving higher financial costs more highly than inspection checkpoints that are historically associated with construction defect claims involving lower financial costs.

22. (New) The computer-implemented method of Claim 1, further comprising calculating one or more adjusted results for the subset of inspection checkpoints, based at least in part on a predicted legal risk that a construction defect associated with an inspection checkpoint will be discovered and/or will generate a legal claim.

23. (New) The computer-implemented method of Claim 1, further comprising:  
using the input about the builder and the projects to select from the database a subset of questions to present to the builder;  
receiving responses to the subsets of questions from the builder, and storing said responses within computer storage; and  
using at least the responses to the subsets of questions to programmatically generate a risk assessment of the builder.

24. (New) The computer-implemented method of Claim 9,  
wherein the information about the construction checkpoints in the database further comprises data reflective of estimated monetary amounts for potential repairs associated with at least a portion of the inspection checkpoints; and  
wherein the first component is further configured to select the subset of inspection checkpoints at least in part such that the estimated monetary amounts for potential repairs associated with the subset are collectively substantially equal to a pre-specified amount.

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25. **(New)** The computer-implemented method of Claim 9, wherein the first component is configured to rate at least a portion of the inspection checkpoints based at least in part on the information about past construction defect claims and to select the subset of inspection checkpoints based at least in part on the ratings.

26. **(New)** The computer-implemented method of Claim 9, wherein the second component is configured to calculate the risk assessment score for the builder based at least in part on a risk occurrence factor calculated using the results of the inspection.

27. **(New)** The computer-implemented method of Claim 25, wherein the risk occurrence factor for a checkpoint is calculated by dividing a number of times unsatisfactory construction practice is observed for a checkpoint by a number of instances of the checkpoint inspected.

28. **(New)** The computer-implemented method of Claim 26, further comprising calculating a projected risk per year for each checkpoint that is based at least in part on the risk occurrence factor for the checkpoint and on information reflective of a cost of construction defect claims associated with the checkpoint.

29. **(New)** A computer-readable medium having stored thereon executable instructions that, when executed by a processor, cause the processor to perform a method for generating a risk assessment of a builder, the method comprising:

providing a database that comprises inspection checkpoints for use in assessing builder risk, wherein at least some of the inspection checkpoints include information reflective of particular types of construction defects, the database further comprising stored data reflective of estimated monetary costs of repair associated with particular inspection checkpoints;

obtaining input about a builder and about projects associated with the builder;

accessing stored data about past construction defect claims that includes at least one of: information reflective of a frequency of past construction defect claims and information reflective of costs associated with past construction defect claims;

using at least the data about past construction defect claims to rank at least a portion of the inspection checkpoints;

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selecting a subset of the inspection checkpoints to use to inspect one or more construction projects of the builder, wherein the subset of inspection checkpoints is selected by a computer system based at least in part on the ranking, such that the selected subset is collectively reflective of a pre-specified potential monetary cost to repair;

recording within computer storage results of the inspection based on the subset of inspection checkpoints as applied to one or more construction projects of the builder; and

using at least the results of the inspection to programmatically generate a risk assessment of the builder.